

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

STATE OF MISSOURI ET AL.

CIVIL ACTION NO. 3:22-cv-01213-TAD

VERSUS

JUDGE: TERRY A. DOUGHTY

JOSEPH R. BIDEN ET AL.

MAG. JUDGE: KAYLA D. MCCLUSKY

UNOPPOSED MOTION TO SEEK LEAVE TO FILE BRIEF *AMICUS CURIAE*
AND PROPOSED AMICUS BRIEF OF CHILDREN'S HEALTH DEFENSE
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

NOTICE OF UNOPPOSED MOTION TO FILE *AMICUS* BRIEF

Without opposition, Children's Health Defense (CHD) hereby respectfully seeks leave to file the attached brief *Amicus Curiae* in support of plaintiffs' motion for a preliminary injunction in the above-captioned case. In hopes of aiding the Court's deliberations, CHD: (1) offers the Court a *narrower preliminary injunction*, designed to anticipate and avoid certain important defense arguments; and (2) seeks to *clarify the applicable law*, showing that *state action doctrine is not dispositive in this case* and that, instead, under controlling Supreme Court authority, the Federal Government's attempts to induce social media censorship of protected speech are unconstitutional *even when they do not amount to coercion or joint action or meet any other state action test*.

Although CHD is unaware of any rule in this District requiring it, CHD has contacted counsel for all parties, and no party has any objection to the filing of this amicus brief.

Respectfully submitted,

Dated: April 25, 2023

/s/ G. Shelly Maturin, II

G. SHELLY MATURIN, II
(La. Bar # 26994)
Maturin Law
322 Heymann Blvd., Suite 1
Lafayette, LA 70503
Telephone: (337) 362-3514
E-mail: shelly@maturinlaw.com

Attorney for
ROBERT F. KENNEDY, JR.
CHILDREN'S HEALTH DEFENSE
CONNIE SOMPAGNARO
Plaintiffs in *Kennedy v. Biden*,
No. 3:23-cv-00381

JED RUBENFELD
(NY Bar # 2214104)
(pro hac vice forthcoming)
1031 Forest Rd.
New Haven CT 06515
Tel.: 203-432-7631
E-mail: jed.rubinfeld@yale.edu

CERTIFICATE OF SERVICE

This is to certify that the foregoing document has been filed with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to all attorneys of record. Respectfully submitted on this the 25th day of April, 2023.

/s/ G. Shelly Maturin, II

G. SHELLY MATURIN, II